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Senator Says the Administrati... Is Withholding Intelligence Data

By STEVEN V. ROBERTS
Special to The New York Times

WASHINGTON, March 16 — A senior Democrat on the Senate Intelligence Committee accused the Reagan Administration today of severely restricting the flow of secret information to Congress. The Democrat, Senator Joseph R. Biden of Delaware, said that this restrictive policy was part of a broader attempt to limit access to information.

Senator Biden cited as evidence White House support for bills that would limit the Freedom of Information Act and make it a crime to identify intelligence agents engaged in secret missions. In addition, he noted that President Reagan had said in an interview made public Monday that journalists should "trust us, and put themselves in our hands."

"Everything is just closing down," Mr. Biden said in an interview. "The whole attitude is just very, very different."

"In 1979, when the agency came up here, I could ask the following question: 'Tell us what's happening in El Salvador?'" Senator Biden said. "They would give a detailed account, including the blemishes. Now, all I'll get is what they want to tell me."

Mr. Biden's comments came as the Senate continued to debate the bill that would make identification of intelligence agents a crime. The key argument is over the standard of proof to be used in defining a violation.

The bill as sent to the Senate from committee would require prosecutors to prove that an accused had an "intent to impair or impede the foreign intelligence activities of the United States." An amendment offered by Senator John H. Chafee, Republican of Rhode Island, would establish a looser standard. Specific intent would be dropped, and a disclosure would be a crime if the defendant had "reason to believe" such actions would harm American interests.

Language similar to the Chafee amendment was put into the House-passed version of the bill last September. Today, advocates of the proposal defended the looser standard as essential for American security interests.

In recent weeks, however, opponents of the Chafee amendment have become more active. Debate today focused on the charge that the amendment could have a "chilling effect" on efforts to report on intelligence activities.

Senator Daniel Patrick Moynihan, Democrat of New York, said that The New York Times has run a series of articles on the activities of two former intelligence agents, Frank E. Terpil and Edwin P. Wilson, in aiding the Government of Libya.

While those articles might not have run if the Chafee amendment were in effect, the Senator said, "they were very much in the interests of the United States and the intelligence community."

"After all," he added, "even The New York Times can only afford to defend so many reporters a year. The Government can destroy a newspaper by suing it."

Senator Chafee derided The Times and other newspapers for opposing the bill and not appreciating, in his view, the danger posed by those who identify agents acting under intelligence cover.

"The press view is, that's life, we can't help it in a free society," Senator Chafee said. He accused his opponents of "dragging a red herring across the discussion" by mentioning the articles.

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